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Action:

13

PARKWAY PLAZA

PARKWAY PLAZA 2

Hylle North

ELTON HILLS NORTH 6

LEISURE COURT NW

CHALET DR NW

37TH STREET NW

3rd AVE NW

3rd AVE NW

WEST RIVER PARKWAY NW

FLOOD ELEVATION 872.8

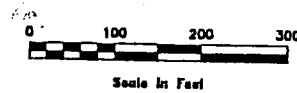
100 Year Flood Line

Floodway Limits

FLOOD ELEVATION 873.5

LUPA Zone Change and GDP Area

approximate area





Legal Description:

The South Half of Northeast Quarter of Section 23, Township 107, Range 14, City of Rochester, Olmsted County, Minnesota lying West of the Zumbro River; except the North 8 acres thereof; and except that part lying southwesterly of West River Parkway.

Current Zoning: R-1

Proposed Zoning: B-4


-  **Phase 1**
70 x 100 - 2 Story
Office/Retail
Flood Protection Elev = 874.0
First Floor Elev = 876.0
-  **Future 40 x 100**
Flood Protection Elev = 874.2
First Floor Elev = 876.0

NOV 14 2002

ROCHESTER OLMTED PLANNING DEPARTMENT

J.L. Leitz, LLC - West River Parkway
S 1/2 NE 1/4 Section 23-107-14

10-18-02	12087-02
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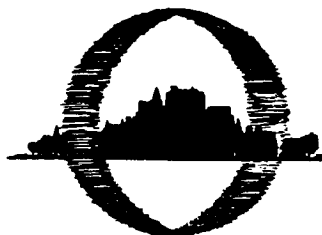


LAND CONSULTANTS
OF SOUTHERN MINNESOTA, INC.
1418 First Avenue N.E.
Rochester, Minnesota 55906
(507) 266-1000

BOUNDARY SURVEYS

LAND SUBDIVISION

DEVELOPMENT PLANNING



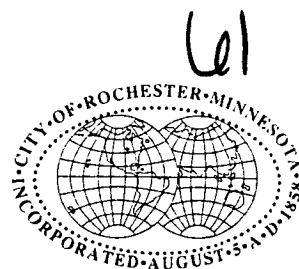
ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF

Olmsted

www.olmstedcounty.com/planning



TO: City Planning and Zoning Commission

FROM: Mitzi A. Baker, Senior Planner

DATE: December 5, 2002

RE: Land Use Plan Amendment Petition #02-06 by Mark Leitzen to amend the Land Use Plan designation from "Low Density Residential" to "Commercial" and the zoning from R-1 (Mixed Single Family) to the B-4 (General Commercial) district on approximately 10.53 acres of land. The property is located east of HyVee, north of West River Parkway, south of 37th Street NW and west of the Zumbro River.

Planning Department Review:

Petitioner: Mark Leitzen
309 60th Ave SW
Rochester, MN 55902

Location of Property: The property is located along the northeast side of West River Parkway, east of 3rd Ave NW and the HyVee north store.

Requested Action: The applicant is requesting a Land Use Plan Amendment and Zoning District Amendment on this site to accommodate B-4 zoning. The GDP proposes three potential building sites.

Existing Land Use: The property is currently undeveloped.

Proposed Land Use: The General Development Plan for this property proposes three building sites, one is labeled as office/retail. The other two are not labeled as far as use, but the applicant verbally identified those as intended for office use.

Adjacent Land Use and Property to the west of 3rd Ave. NW is the site of a



Zoning:

HyVee grocery store. To the east is the Zumbro River. North of this property is a property zoned B-4, which is occupied by a steel sided building and the site is currently being used for seasonal sales of Christmas trees. To the south is a parcel of undeveloped property and the City park land. South west, across West River Parkway are townhomes and other residential development.

Transportation Access:

The GDP for this property proposes three access to the site, two from West River Parkway and one from 3rd Ave NW. Access will not be permitted at all locations shown on the GDP however. Access will be limited to one location from 3rd Ave., and an additional access may be permitted to West River Parkway, but will likely need to be a shared access at the south property line. Since West River Parkway is an Arterial roadway, the shared access may be required to provide adequate spacing, while providing access to two properties.

Wetlands:

There may be hydric soils in the Floodway district. Additional site investigation should be completed. The property owner is responsible for identifying Westlands on the property and submitting the information to the LGU.

Referral Comments:

1. See comments attached to GDP 195

Report Attachments:

1. Location Map

Analysis:

The applicant requests an amendment to the Land Use Plan to designate this property for "commercial" land uses. The Rochester Urban Service Area Land Use Plan includes several categories for "commercial" land uses (see attached). This property does not easily fit into the primary categories and does not meet the site location criteria for the/

Though this property does not fit well into any of the "commercial Use" categories identified in the Land Use Plan, it is probably appropriate to look at the "neighborhood shopping center" category, since that category requires 4 – 8 acres of land, and the applicant is also requesting B-4 (General Commercial) zoning. In looking at the other categories, it is clear that this site would not be defined as a "regional shopping center" and due to it's location and separation from the HyVee development by 3rd Ave. NW, it really is not an integral part of a "community shopping center" either.

Staff Suggested Findings:

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Please see the attached excerpts from the Rochester Urban Service Area Land Use Plan for the site location criteria for "Neighborhood Shopping Center". The following are staff suggested findings to these criteria:

This property is approximately 10.53 acres in size. The Floodway encumbers about ½ of the site, however, so the developable portion is probably limited to 5-6 acres.

- a) The property is not located at the intersection of a Collector street and/or higher level streets. The property is located at the intersection of 3rd Ave. NW (local street) and West River Parkway (Arterial). Access to this property will be limited. One access will be permitted from 3rd Ave NW and an additional access may be permitted to West River Parkway. Since West River Parkway is an Arterial, access spacing standards applicable to that road designation must be met. In order to meet spacing requirements, it may be necessary to have a shared access with the abutting property to the south. This property does not meet this criteria.
- b) This property has varied terrain, which may be due in part to its history. In the 1950's the City had a lease agreement with the property owner to use the property for a City dump. Nearly all of the property is in the flood plain districts. The eastern portion of the property is in the Floodway, and most of the remaining part of the property is in the 100 year Flood Fringe district.
- c) Access to this property will be limited. One access will be permitted from 3rd Ave NW and an additional access may be permitted to West River Parkway. Since West River Parkway is an Arterial, access spacing standards applicable to that road designation must be met. In order to meet spacing requirements, it may be necessary to have a shared access with the abutting property to the south. Pedestrian facilities currently exist along the Zumbro River, but not along this portion of the abutting public roadways. If this site develops, sidewalk will be required along the abutting public road rights-of-way.
- d) Within a 1-mile radius, there is a projected service area population of 9,354, with approximately 4,092 dwelling units. Existing commercial uses in this area already provide some services to these households.
- e) The gross site area would appear to meet this criterion. However, if one subtracts the non-developable floodway from the site, this criterion would not be met.

Summary & Staff Recommendation:

In summary, this property does not meet site location criteria for a "neighborhood shopping center" commercial land use designation. Staff also reviewed the site location criteria for other "commercial" land use designation categories and concluded this site does not meet the criteria for any of commercial categories.

Though this site does not meet criteria for a "commercial" land use designation, it is important to evaluate the appropriateness of the current "low density residential" designation. Please see the attached location criteria for the "low density residential" designation. Staff suggests that the northern portion of the site, which would be oriented toward 3rd Ave. NW, and the rear of the HyVee grocery store has characteristics which make it undesirable for it's current land use designation. This portion of the site is oriented toward a local non-residential street and the rear of a grocery store, which includes delivery traffic and a generally unattractive façade. This portion of the property, specifically, is not buffered from the adverse influences of the existing commercial use (see low density residential criteria #c). The orientation of the southern portion of the site, toward West River Parkway NW and additional separation from the rear of the grocery store

provides for more buffering from the existing commercial use. Additional landscaping and buffering could also be incorporated into a site design. Since this property is in the Flood Fringe and floodway districts, the site would not meet the first criteria for a low density residential designation.

Given the complexities of this site, the fact that it is not highly suitable for low density residential uses, low intensity non-residential uses at this location are probably reasonable. Establishing low intensity non-residential uses at this location could be proposed through the Restricted Development application process, or a request for B-5 (Residential Commercial) zoning, without changing the Land Use Plan.

Since the property does not meet criteria for a "commercial" land use designation, staff recommends denial of this petition. Furthermore, staff recommends that the applicant consider alternative means to accomplish development of this site, that would not require actions that would be contrary to adopted plans and policies.

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22. Preserve public access to water-based recreation sites.

23. Prohibit noticeable emissions of objectionable odors from industrial uses; curtail development in close proximity to open odor producing activities such as feedlot operations and sewage treatment plants.

Locational Criteria

Several of the guidelines presented above could be considered as general planning principles, rather than as guidelines addressing specific growth problems affecting the City of Rochester and its environs. A number of additional planning principles specifically applicable to the various use designations have been identified as criteria for determining the most suitable uses for given sites and the most suitable locations for specific uses. In applying these criteria, it should be kept in mind that plan designations have been made based not only on locational factors but also on projected demand for various uses. Thus, a site that may be suitable for either a commercial or a residential use may be designated on the plan for residential purposes, based on projected land area needs. Within limits of projected needs (with allowances made for an excess of land supply over demand for each use designation), only the best sites have been identified for each use.

A. Locational Criteria for Residential Uses

1. Low density residential uses are most suitable in areas with the following characteristics:
 - a. Having terrain with variety, but outside flood prone or poorly drained areas, and areas with slopes over fifteen percent.
 - b. Bounded but not penetrated by major streets.
 - c. Buffered from the adverse influences of industrial, commercial, and high activity/high density residential areas.
 - d. Served by park, school, and other public facility systems, especially bikeway and pedestrian systems.
2. Medium density residential uses are most suitable in areas with the following characteristics:
 - a. Having level to fairly rolling terrain, outside flood prone or poorly drained areas, or areas with steep slopes.
 - b. In close proximity to commercial areas, employment centers, recreation areas, or other facilities that serve smaller households.
 - c. Having good access by means of collector, arterial, and expressway streets and transit systems to employment centers, commercial areas, and community facilities.
 - d. Buffered from the adverse influences of commercial, industrial, and other incompatible activities.

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3. High density uses are most suitable in areas with the following characteristics:
- Having level to fairly rolling terrain, outside flood prone or poorly drained areas, or areas with steep slopes.
 - In close proximity to major shopping areas, major employment centers, recreational and cultural facilities, and other facilities that serve smaller households.
 - Having immediate pedestrian, highway, and transit access to commercial areas, community facilities, and major employment centers.
 - Buffered from the adverse influences of industrial and other incompatible activities.
 - Not adversely affecting adjoining low density residential areas.

B. Locational Criteria for Commercial Uses

The commercial designation on the Plan encompasses a wide range of uses, including, for example, grocery stores, department stores, restaurants, gas stations, motels, and professional offices. These uses vary widely in the amount and kind of traffic generated, the size of the service area, the level of compatibility with more sensitive uses (such as residential areas), and the type and number of clientele. Because of the wide variation in types of commercial use, a number of sets of criteria have been developed to deal with groups of commercial uses having several common characteristics. These are presented below:

- ➔
1. Neighborhood shopping centers, defined as small centers (four to eight acres in area) including stores catering to the daily or weekly convenience shopping needs and personal services needs of a neighborhood, are most suitable in areas with the following characteristics:
 - a. Located at the intersection of a collector street and/or higher level streets.
 - b. Having relatively flat terrain.
 - c. Having good vehicular and pedestrian access.
 - d. With a projected service area population of at least 1,500 households with a radius of one-half to one mile.
 - e. Having at least enough land area to serve the fully developed neighborhood at the rate of 2.5 acres of land per 1,000 neighborhood households.
 2. Community shopping centers of 15 to 25 acres in area and including some stores (such as variety stores or small department stores) selling longer term shopping goods, such as appliances or apparel, are most suitable in areas with the following characteristics:

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- a. Located at the intersection of an arterial with similar or higher level streets.
 - b. Having relatively level terrain.
 - c. With a projected service area of roughly 10,000 households within a radius of two miles.
 - d. Having good pedestrian, vehicular, and transit access.
 - e. Having at least enough land area to serve the fully developed service area at the rate of 1.5 acres per 1,000 households.
3. Regional shopping centers, defined as including one or more major department stores, or several specialty stores, are best suited in areas with the following characteristics:
- a. Located at the intersection of a major arterial or higher level street with similar or higher level streets.
 - b. Having level terrain.
 - c. Having good pedestrian, vehicular, and transit access.
 - d. Having at least 40 acres of land suitable for commercial development.

The service areas of regional shopping centers in Rochester extend beyond Olmsted County to include Southeastern Minnesota, Southwestern Wisconsin, and Northeastern Iowa. Projections of area requirements for regional shopping centers and for other commercial uses have been made on the basis of projected employment growth, as explained in Appendix B.

4. Highway commercial uses, which include uses oriented primarily to serving the traveling public, such as gas stations, drive-in restaurants, truck stops, motels, hotels, and so on, as well as uses requiring large areas of highway frontage, such as automobile dealerships, are most suitable in areas with the following characteristics:
- a. On major highway approaches with access to a frontage road (or in the case of lodging establishments, in close proximity to major visitor attractions such as the medical complex).
 - b. Having relatively level terrain.
 - c. Providing for a concentration of similar uses.
 - d. Not detrimental to the safety or appearance of the surrounding area.
5. A number of other commercial uses that are less easily classified are listed below with recommended locational criteria:
- a. Professional office uses. Major office uses, such as financial institutions, should locate in concentrations of similar uses in order to facilitate business transactions, to benefit from joint use of parking facilities, and so on. Office uses tend to draw customers

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from throughout the City and its environs; hence, site characteristics of good access and visibility are essential. Minor office uses should also be clustered where possible; if clustering is not possible, uses should be located on the fringe of established or proposed community or regional shopping centers. Isolated office uses similar in character and intensity of use to, and not in conflict with, surrounding residential uses may be considered to be appropriate in areas designated predominantly for residential use.

- b. Business-serving commercial uses. Commercial uses primarily oriented toward services to other businesses, such as printing shops, sign painting companies, and so on, should also locate in close proximity to established or proposed community or regional shopping centers.
- c. Isolated neighborhood-oriented commercial uses. Currently, there are several small commercial uses, such as groceries and personal services businesses, located in residential areas of the City, providing needed convenient shopping and other facilities within walking distance of large parts of many of the City's established neighborhoods. It is proposed that zoning ordinances provide for this sort of use within residential use designations, especially in medium and high density planned unit developments, where the following conditions exist:
 - i. locational criteria "a", "b", and "c" of neighborhood shopping centers area met.
 - ii. no existing neighborhood shopping center is located within one-half mile of the proposed commercial use.
 - iii. adequate protection is given adjacent residential uses from adverse parking and traffic influences.

All types of commercial use other than those in B5a and B5c listed above should be allowed only in areas designated for commercial use.

- d. Recreational commercial uses. Private recreational commercial facilities of a low intensity of use, such as campgrounds, ski hills, and golf courses, should be accommodated in any area in the Land Use Plan, through zoning mechanisms that address potential noise, access, and other conflicts with residential development, or existing public open space uses, where pertinent. In general, recreational commercial uses should be allowed in areas that have good access, that are situated in such a way as not to adversely affect neighboring residential areas, and that have some significant natural feature making the area suitable for a recreational use. Such natural features might include streams, lakes, ponds, or other significant bodies of water; flood prone areas unsuited for other development; or steep or wooded hillsides. Zoning ordinances accommodating recreational commercial uses in a separate zone should not also routinely allow general commercial uses in that zone.

C. Locational Criteria for Industrial Uses

The industrial use designation on the proposed Plan provides for such activities as manufacturing; transportation, communications, and public utilities industries; warehousing; and construction industries. While these types of uses differ significantly in the potential effect on surrounding uses, their locational requirements are very similar. Sites to be considered for industrial uses should have the following characteristics:

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MINUTES OF THE
CITY OF ROCHESTER PLANNING COMMISSION
2122 CAMPUS DRIVE SE – SUITE 100
ROCHESTER MN 55904

Minutes of the regularly scheduled meeting of the City Planning and Zoning Commission held on Wednesday, January 8, 2003, at 7:00 p.m. in the Council/Board Chambers of the Government Center, 151 4th Street SE, Rochester, MN.

Members Present: Mr. Randy Staver, Chair; Ms. Lisa Wiesner, Vice Chair; Ms. Mary Petersson; Ms. Leslie Rivas; Mr. Michael Quinn; Mr. James Burke; Mr. Robert Haeussinger; and Mr. Paul Ohly

Members Absent: Mr. John Hodgson

Staff Present: Ms. Mitzi A. Baker; Mr. John Harford; and Ms. Jennifer Garness

ADMINISTRATIVE BUSINESS:

Ms. Petersson made a motion to approve the minutes of December 11, 2002, as written. Mr. Ohly seconded the motion. The minutes from December 11, 2002 were approved unanimously.

Ms. Petersson made a motion to approve the agenda, as written. Mr. Haeussinger seconded the motion. The motion carried unanimously.

Mr. Staver announced that public testimony for Conditional Use Permit #02-60 by South Broadway Partners, LLC would not be heard at the meeting. He explained that the request would be tabled to March 26, 2003 and that new notices would be mailed to individuals that received prior notice.

Ms. Baker noted that the applicant has already indicated that they may want to bring the conditional use permit request before the Commission prior to March 26, 2003. However, anyone that received notification previously, would receive them again.

Mr. Staver announced that public testimony would not be taken for General Development Plan #196 to be known as Bamber Valley Estates. He explained that the request would be heard before the Commission on January 22, 2003. He further explained that the Commission would not be meeting in the Council/Board Chambers, but in City Hall Room 104 for that meeting.

CONTINUED ITEMS:

Land Use Plan Amendment Petition #02-06 and Zoning District Amendment #02-15 by Mark Leitzen to amend the Land Use Plan designation from "Low Density Residential" to "Commercial" and the zoning from R-1 (Mixed Single Family) to the B-4 (General Commercial) district on approximately 10.53 acres of land. The property is located east of HyVee, north of West River Parkway, south of 37th Street NW and west of the Zumbro River.

AND

General Development Plan #195 to be known as West River Parkway by Mark Leitzen. The applicant is proposing to develop the property with commercial uses permitted in the B-4 zoning district. The property is located east of HyVee, north of West River Parkway, south of 37th Street NW and west of the Zumbro River.

Ms. Mitzi A. Baker presented the staff reports, dated December 5, 2002, to the Commission. The staff reports are on file at the Rochester-Olmsted Planning Department.

Ms. Baker explained that the 100-year flood plain runs throughout the property. She showed where the floodway boundaries were located.

Ms. Baker explained that the northern part of the site was not conducive for low-density residential development and that the property was primarily oriented towards West River Parkway rather than 37th Street NW.

Ms. Baker stated that a revised general development plan was submitted to the Rochester-Olmsted Planning Department on January 7, 2003. The revised plans were forwarded to other agencies to obtain comments prior to the City Council meeting.

Ms. Baker explained that staff understood that the property was difficult to work with. However, she expressed concern with the different commercial uses permitted in the B-4 zoning district.

Ms. Baker discussed that she was unsure if the general development plan could dictate the hours of operation, since the zoning district primarily dictated it.

Ms. Baker explained the different zoning districts surrounding the property. She explained the visibility from the frontage along 37th Street NW.

The applicant's representative, Mr. Bill Tointon of McGhie & Betts, Inc., addressed the Commission. His presentation notes are on file at the Rochester-Olmsted Planning Department. He indicated that both Mark and Gary Leitzen were available for questions.

Mr. Tointon explained that the request was previously tabled due to the fact that McGhie & Betts did not begin the project and needed time to work with staff on certain issues.

Mr. Tointon stated that he spoke with Mike Nigbur, from City Public Works, indicating that he approved of the revised access as submitted to the Rochester-Olmsted Planning Department dated January 7, 2003.

Mr. Quinn asked what the property to the east was currently zoned.

Mr. Tointon responded that east of the river the property is primarily zoned B-4.

Mr. Quinn asked if it had been developed as commercial.

Mr. Tointon responded no.

Ms. Rivas asked if Mr. Leitzen owned the property to the north with a pole shed.

Mr. Tointon responded no.

Mr. Burke stated that additional buffering to the residential area was discussed at the neighborhood meeting. He questioned if it was being proposed in future plans.

Mr. Tointon responded yes. He explained it depended on how much is taken out during construction. They are trying to have a minimum disturbance.

Mr. Staver asked if an upgrade to 3rd Avenue NW would occur.

Mr. Tointon responded that the developer would be required to upgrade that roadway. He indicated that it would be a public benefit.

Mr. Al Wick, 727 31st Street NW, Rochester MN, addressed the Commission. He stated that he did not oppose the rezoning. However, he expressed concern with traffic access. He explained that 37th Street NW is currently a right turn only access. He expressed concern with West River Parkway and rear access onto 3rd Avenue NW. He explained that it is currently a dangerous intersection. He expressed concern with putting additional traffic through that intersection. He discussed the visibility problems.

Mr. Steve McNaughton, of 422 Chalet Drive NW, Rochester MN, addressed the Commission. He stated that he was opposed to the change in land use plan and zoning district. He stated that, when he purchased his home in the neighborhood, he did not expect additional commercial development. He explained that he believed it would decrease his quality of life with parking areas so close by that are lighted 24 hours a day.

With no one else wishing to be heard, Mr. Staver closed the public hearing.

Mr. Burke asked Ms. Baker if the property is currently zoned R-1.

Ms. Baker responded yes and explained that there was a typo on criteria A of the general development plan.

Ms. Petersson stated that she did not think that the development would do anything but help the area. At present, there are a lot of overgrown weeds and debris. She explained that she could not foresee it being used for any type of residential use.

Mr. Haeussinger stated that he believed it should have been rezoned with the other areas surrounding it. He agreed that it was not appropriate for residential uses.

Mr. Burke questioned how any type of high density residential would be appropriate with B-4 zoning surrounding it.

Ms. Rivas stated that it was unfortunate that the entire parcel would be rezoned B-4. She suggested that part of the parcel could be zoned residential and part B-4 to come up with a better layout for the area.

Ms. Wiesner stated that the developer would be taking a risk to put residential homes with their front door looking at the back of HyVee.

Mr. Burke stated that he spoke with some of the property owners in the area and indicated that he did not receive any negative feedback. They seemed happy to have some sort of development to clean up the area.

Mr. Staver stated that the best use of the property is as a commercial use.

Ms. Wiesner stated that the notes on the revised general development plan state the approximate size of the structures. She asked if the developer was willing to put a cap on the square footage.

Ms. Baker explained that Section 61.217 of the City of Rochester Zoning Ordinance and Land Development Manual dictates what staff could approve at their level and what would need to come before the Commission.

Ms. Baker explained that a general development plan is required to identify the proposed intensity and density of the development. On this particular general development plan, the developer has indicated the potential development character and intensity. She explained that the City of Rochester Zoning Ordinance and Land Development Manual limits staff's ability to allow for amendments that would exceed a 5 percent change.

Mr. Gary Leitzen, of 6165 10th Street SW, Rochester MN, addressed the Commission. He stated that he was unsure of the size of the buildings or how they will fit into the design.

Discussion ensued regarding possible changes to the general development plan and what staff could approve and what would have to come back to the Commission.

Ms. Petersson asked if they would see a preliminary plat.

Ms. Baker responded no.

Ms. Wiesner asked if staff was comfortable with having enough information to review site plans when they come in for permits.

Ms. Baker responded yes, with regard to building size and intensity. Though she was uncertain if staff had the ability to hold the developer to the hours of operation and use restrictions noted on the general development plan. She explained that the zoning district regulations dictate that information.

Mr. Tointon stated that it is his understanding that the Findings of Fact approved by the City Council are legally binding in approval and denial.

Mr. Haeussinger stated that, if the general development plan was not used and a new one was approved, they would be subject to the B-4 zoning district standards, which actually dictate the hours of operation.

Ms. Wiesner responded that the new general development plan would have to go before the Commission.

Mr. Burke moved to recommend approval of Land Use Plan Amendment Petition #02-06 by Mark Leitzen based upon the following findings:

Locational Criteria for Commercial Use:

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- a. It has been found in previous occasions that the road access location requirements need not be met. We have approved other projects not meeting this criteria.
- b. Having relatively flat terrain.
- c. Having good vehicular and pedestrian access, which has been presented at the meeting.
- d. The projected service area meets the criteria.
- e. This criterion meets to be met.

Mr. Haeussinger seconded the motion. The motion carried 7-1, with Ms. Rivas voting nay.

Mr. Burke moved to recommend approval of Zoning District Amendment #02-15 by Mark Leitzen based on the fact that all of the adjacent properties are currently zoned B-4. Ms. Petersson seconded the motion.

Mr. Staver stated that part of the rationale is that the zoning would be inconsistent with the land use plan amendment that was recently approved.

The motion carried 7-1, with Ms. Rivas voting nay.

Mr. Burke moved to recommend approval of General Development Plan #195 to be known as West River Parkway with the restrictions as presented by the applicant. Ms. Petersson seconded the motion. The motion carried 7-1, with Ms. Rivas voting nay.

Text Amendment #02-06 initiated by the City Planning and Zoning Commission, to amend Section 55.510(5)(b) of the Rochester Zoning Ordinance and Land Development Manual. This section, Termination of Nonconforming Advertising Signs, covers the standards for use of advertising sign credits.

Mr. John Harford presented the staff report, dated December 13, 2002, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

Mr. Ohly agreed with the language.

Ms. Petersson stated that Mr. Prow mentioned Highway 52 and getting longer time limits on the sign credits.

Mr. Harford responded that the City Administrator's office and City Council are responding to that issue.

With no one else wishing to be heard, Mr. Staver closed the public hearing.

Mr. Haeussinger moved to recommend approval of Text Amendment #02-06 initiated by the City Planning and Zoning Commission as presented. Mr. Ohly seconded the motion. The motion carried 8-0.

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